

USSN 09/890,300
Docket No.: 4444-024

REMARKS

Claim 6 has been amended to correct a syntax error. Entry of the amendment is in order because it is directed to form and does not require a new search or consideration of new issues.

Applicants traverse the rejection of claims 1-12 as being anticipated by Ito (USP 5,999,126).

Applicants cannot agree that Ito discloses the requirements of claims 1 and 12 for a transmitter or the similar transmitting step:

while transmitting the services linked to overlapping relevant zones, said transmitter is arranged to transmit descriptions of the relevant zones, addresses of the services linked to the relevant zones, and descriptions and addresses of services of relevant zones."

Fig. 11A of Ito illustrates how to determine the position of a mobile while it is receiving the signals of three base stations. The current position is the zone where the three signals overlap. This point is described in the paragraph column 9, lines 30-56. It has nothing to do with the foregoing requirements of claims 1 and 14. Fig. 13A to Fig. 13D and col. 10, lines 49-65, and col. 11, lines 14-24, show and describe only how the information is displayed.

Because the transmitter is not the main object of the Ito reference, the transmitter is not described and there is no disclosure that the transmitter is arranged to transmit descriptions of the relevant zones, addresses of the services linked to the relevant zones and descriptions and addresses of services of relevant zones.

In column 10, lines 40-65, Ito states "*the processing in the control unit 12 for a*

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service signal transmitted from a PHS base station...". There is no disclosure of how multiple signals from a plurality of base stations are processed. If there are three base stations (Fig. 11A) or two base stations (Fig. 11b), two or three signals are received and information is displayed. But even if three signals are received, the information relative to these signals is linked to the covering zones not covered by these base stations and neighbored to these covering zones.

Ito also does not disclose the requirement of claims 1 and 8 for

a switching unit for switching said received sub-assembly for enabling said receiver sub-assembly to receive at least one service linked to at least one relevant zone corresponding to the geographic position ascertained by said locating unit.

While Ito includes a receiver comprising a receiver sub-assembly for receiving said services (PHS) and a locating unit for determining the geographic position of said receiver (GPS), these statements do not satisfy the requirements of claims 1 and 8.

Ito describes a method of measuring the position of a vehicle. Ito is concerned with the problem of the GPS waves being unable to reach a receiver inside a vehicle because of obstacles, such as buildings. In order to solve this problem, Ito adds to the conventional GPS system another system with is a *simplified mobile telephone system called a PHS* (column 4, lines 1-5). Column 5, line 61 to column 6, line 10, describes the relation between the two systems by stating:

In this case, if a signal for position measuring is available from only one of the GPS receiver unit 5 and the PHS receiver unit 6, a position is calculated based on that signal. On the other hand, when signals are available from both of them, a signal to be used is selected with reference to the certainty detected by the GPS certainty detector unit 8...

Details of the method are illustrated on Fig. 8 and described from column 8, line

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36 to column 9, line 29.

From column 9, line 30, the description is concerned with the PHS system. More particularly, the processing performed for the position calculation in the position calculation unit 11 based on the PHS base station ID is described in relation with the Figs. 10 and 11A, 11B and 11C.

Fig. 11A is illustrative of the case wherein the receiver receives the highest of the radio waves from three base stations. It is then concluded that the region where the three regions overlap is the current position.

Fig. 11B is illustrative of the case wherein the radio waves from only two base stations are received. The conclusion seems to be the same: the region where the two regions overlap is the current position.

Fig. 11C is illustrative of the case wherein the radio waves from only one base station are received. The current position is now dependent on whether or not the ID can be decoded. But it is also inside the zone where the waves are received.

Hence the Ito disclosure has nothing to do with claims 1-12 because claims 1-12 are concerned with information transmission, not position measuring.

Beginning at column 10, line 40, with reference to Fig. 12, Ito describes reception processing by control unit 12 for a service signal transmitted from a PHS base station, display examples are given in Figs. 13 to 16. The Ito method can be described as follows: if a service signal is transmitted, the receiver determines which service is concerned and the corresponding information is displayed, for example, as illustrated by Fig. 13A to Fig. 16.

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PHS is a transmission system for services. Ito does not specify if the services are linked to relevant geographic zones.

PHS is equipped with at least one transmitter for transmitting the services. These services are not explicitly described as linked to relevant zones. Fig. 2 is not concerned with transmitting services but with the GPS position measuring system. Column 5, lines 25-41, is concerned with the structure of an apparatus for measuring its proper position and for receiving information.

Based on the foregoing, the allegation in the Office Action that Ito discloses the switching unit requirements of claims 1 and 8 appears erroneous.

In view of the foregoing remarks, allowance is in order.

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The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP



Allan M. Lowe
Registration No. 19,841

USPTO Customer No. 22429
1700 Diagonal Road, Suite 300
Alexandria, VA 22314
(703) 684-1111
(703) 518-5499 Facsimile
AML/alw